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	APPLICATION NO.	FIL	ING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
	10/736,882 12/16/2003		2/16/2003	David L. Poole	87286D1	5731	
	24628	7590	09/01/2004		EXAM	EXAMINER	
	WELSH & K	ATZ, L	TD	NGUYEN, ANTHONY H			
120 S RIVERSIDE PLAZA							_
	22ND FLOOR				ART UNIT	PAPER NUMBER	
	CHICAGO, II	L 60606	I		2854		

DATE MAILED: 09/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/736,882	10/736,882 POOLE, DAVID L.				
Office Action Summary	Examiner	Art Unit	)			
	Anthony H Nguyen	2854	_ AN			
The MAILING DATE of this communication appeared for Reply	ppears on the cover sheet with the	correspondence address				
A SHORTENED STATUTORY PERIOD FOR REP THE MAILING DATE OF THIS COMMUNICATION  - Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a re - If NO period for reply is specified above, the maximum statutory perio  - Failure to reply within the set or extended period for reply will, by statu Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).	I.  1.136(a). In no event, however, may a reply be eply within the statutory minimum of thirty (30) o d will apply and will expire SIX (6) MONTHS fr ate, cause the application to become ABANDO	timely filed flays will be considered timely. flays mailing date of this communication (35 U.S.C. § 133).	ation.			
Status						
1) Responsive to communication(s) filed on 16	December 2003.					
2a) This action is FINAL. 2b) Th	nis action is non-final.					
3) Since this application is in condition for allow closed in accordance with the practice under	· · · · · · · · · · · · · · · · · · ·		s is			
Disposition of Claims						
4) ⊠ Claim(s) <u>1-48</u> is/are pending in the application 4a) Of the above claim(s) is/are withdrest 5) □ Claim(s) is/are allowed.  6) □ Claim(s) is/are rejected.  7) □ Claim(s) is/are objected to.  8) ⊠ Claim(s) <u>1-48</u> are subject to restriction and/or	rawn from consideration.					
Application Papers						
9) The specification is objected to by the Examin 10) The drawing(s) filed on is/are: a) according a contract any objection to the	ccepted or b) objected to by the drawing(s) be held in abeyance.	See 37 CFR 1.85(a).				
Replacement drawing sheet(s) including the corre	· · · · · · · · · · · · · · · · · · ·	*	. ,			
Priority under 35 U.S.C. § 119						
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>						
Attachment(s)						
1) Notice of References Cited (PTO-892)	4) Interview Summa	ıry (PTO-413)				
Notice of Draftsperson's Patent Drawing Review (PTO-948)     Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0-Paper No(s)/Mail Date	Paper No(s)/Mail					

Art Unit: 2854

## Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

- I) Figures 2-4b.
- II) Figures 5a and 5b.
- III) Figure 6.

Applicant is required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, there is no generic claim.

Applicant is advised that a response to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. M.P.E.P. § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the

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case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. § 103 of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (571) 272-2168. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

> acjucjen Anthony Nguyen

8/31/04

Suthony

Patent Examiner

Technology Center 2800